

CERTAIN CITIES—PLATTING AGREEMENTS

CHAPTER 317

H. B. No. 691

An Act amending Section 3, Senate Bill No. 277, Chapter 231, Acts, Fortieth Legislature, 1927, known as Article 974a, Vernon's Texas Civil Statutes, allowing cities within five (5) miles of each other to enter into agreements on platting outside their own corporate limits under certain conditions; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Section 3 of Senate Bill No. 277, Chapter 231, Acts, Fortieth Legislature, 1927, known as Article 974a, Vernon's Texas Civil Statutes, is hereby amended ²³ to read hereafter as follows:

"Sec. 3. That it shall be unlawful for the County Clerk of any county in which such land lies to receive or record any such plan, plat or replat, unless and until the same shall have been approved by the City Planning Commission of any city affected by this Act, if said city has a City Planning Commission and if it has no City Planning Commission, unless and until the said plan, plat, or replat shall have been approved by the governing body of such city. If such land lies outside of and within five (5) miles of more than one (1) city affected by this Act, then the requisite approval shall be by the City Planning Commission or governing body, as the case may be, of such of said cities having the largest population; provided, however, that the governing body of any city having the largest population may enter into an agreement with any other city or cities affected, or the governing body of the largest city may enter into an agreement with any other city within five (5) miles conferring the power of approval within stated portions of the area upon such other city; but any such agreement shall be revocable by either city at the end of twenty (20) years after the date of the agreement or at the end of such shorter period of time as may be agreed upon. A copy of any such agreement shall be filed with the County Clerk, and during the time the agreement continues in force he shall not receive or record any such plan, plat or replat unless it has been approved by the City Planning Commission or the governing body, as the case may be, of the city or cities upon which the power of approval is conferred by the agreement. Any person desiring to have a plan, plat or replat approved as herein provided, shall apply therefor to and file a copy with the Commission or governing body herein authorized to approve same, which shall act upon same within thirty (30) days from the filing date. If said plat be not disapproved within thirty (30) days from said filing date, it shall be deemed to have been approved and a certificate showing said filing date and the failure to take action thereon within thirty (30) days from said filing date, shall on demand be issued by the City Planning Commission or Governing Body, as the case may be, of such city, and said certificate shall be sufficient in lieu of the written endorsement or other evidence of approval herein required. If the plan, plat, or replat is approved, such Commission or governing body shall indicate such finding by certificate endorsed thereon, signed by the Chairman or presiding officer of said Commission or governing body and attested by its Secretary, or signed by a majority of the members of said Commission or Governing Body. Such Commission or governing body shall keep a record of such applications and the action taken thereupon, and upon demand of

23. Vernon's Ann.Civ.St. art. 974a, § 3.

the owners of any land affected, shall certify its reasons for the action taken in the matter."

Sec. 2. The importance of this legislation and the crowded condition of the Calendar create an emergency and imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended, and said Rule is suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Passed the House, April 29, 1955: Yeas 137, Nays 1; passed the Senate,

May 10, 1955: Yeas 31, Nays 0.

Approved May 24, 1955.

Effective May 24, 1955.

INDEPENDENT SCHOOL DISTRICTS—TAX ASSESSOR- COLLECTORS—BONDS

CHAPTER 318

H. B. No. 734

An Act amending Section 1 of Senate Bill No. 98, Chapter 62, Acts of the Fifty-third Legislature, Regular Session (Article 2779b, Vernon's Civil Statutes), so as to change the amount of the surety bond requirement of the tax assessor-collector of an independent school district having its own tax assessor-collector; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Section 1 of Senate Bill No. 98, Chapter 62, Acts of the Fifty-third Legislature, Regular Session (Article 2779b, Vernon's Civil Statutes), be and the same is hereby amended ²⁴ to read hereafter as follows:

"Section 1. Boards of Trustees of Independent School Districts operating under the General Law are authorized to appoint an Assessor-Collector of Taxes for their respective School Districts for a term of office not to exceed three (3) years, to be determined by the Board of Trustees; providing that such Assessor-Collector shall give bond, to be executed by a surety company authorized to do business in the State of Texas, in an amount sufficient to adequately protect the funds of such school district in the hands of such Assessor-Collector, but in no event shall the bond be less than twice the largest amount collected at any one time in the preceding fiscal or calendar year, or Fifty Thousand Dollars (\$50,000), whichever amount is the smaller, to be determined by the governing body of such school district."

Sec. 2. The fact that the present law unnecessarily requires an excessive bond of the tax assessor-collector of any such independent school district which is costly to such school districts and the crowded conditions of the Calendar create an emergency and imperative public necessity demanding the suspension of the Constitutional Rule requiring that all bills be read on three several days in each House; and said Rule is hereby suspended, and this Act shall take effect and be in force from and after its passage; and it is so enacted.

Passed the House, April 5, 1955: Yeas 142, Nays 3; passed the Senate,

May 10, 1955: Yeas 31, Nays 0.

Approved May 24, 1955.

Effective May 24, 1955.

24. Vernon's Ann.Civ.St. art. 2779b.